

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants Dennis Wahr et al.
Application No. : 09/870,813 Confirmation No. : 1270
Filed : June 1, 2001
For : CLOSURE DEVICES, RELATED DELIVERY
METHODS AND TOOLS, AND RELATED METHODS
OF USE
Examiner : Gary Jackson
Group Art Unit : 3734

New York, New York 10020
December 18, 2006

Mail Stop 313(c)
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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OFFICE OF PETITIONS

PETITION FOR WITHDRAWAL FROM ISSUE
UNDER 37 C.F.R. § 1.313(c)(2)

Sir:

Pursuant to 37 C.F.R. § 1.313(c)(2), applicants
hereby petition to withdraw the above-identified patent
application from issue. 37 C.F.R. § 1.313 states in relevant
part that:

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(c) Once the issue fee has been
paid, the application will not
be withdrawn from issue upon
petition by the applicant for
any reason except:

* * *

(2) Consideration of a request
for continued examination in
compliance with § 1.114;

Applicants paid the issue fee on March 30, 2006.

Applicants request that the application be withdrawn from issue to permit: (1) consideration of a Request for Continued Examination ("RCE") of this application under 37 C.F.R. § 1.114 (filed concurrently herewith) and (2) consideration in the RCE of a Ninth Supplemental Information Disclosure Statement (filed concurrently herewith). Thus, applicants have satisfied the requirements of 37 C.F.R. § 1.313(c)(2).

In the accompanying Request for Continued Examination (filed in duplicate herewith), the Director is authorized to charge the amount of \$790.00, in payment of the filing fee set forth in 37 C.F.R. § 1.17(e) for the RCE; \$130.00, in payment of the fee set forth in 37 C.F.R. § 1.17(h) for consideration of this Petition; and any additional fee required in connection with this Petition, or any of the papers filed herewith, or to credit any overpayment of same, to Deposit Account No. 06-1075, Order No. 000293-0088-101.

Accordingly, applicants request that this Rule 313(c)(2) Petition be granted and the above-identified application be withdrawn from issue in favor of the RCE (filed concurrently herewith), in order to reopen prosecution and allow consideration of the Ninth Supplemental Information Disclosure Statement (filed concurrently herewith).

Respectfully submitted,



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